

Service Date: June 8, 2001

DEPARTMENT OF PUBLIC SERVICE REGULATION  
BEFORE THE PUBLIC SERVICE COMMISSION  
OF THE STATE OF MONTANA

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IN THE MATTER OF the Application of	)	UTILITY DIVISION
Southern Montana Telephone Company	)	
for a Protective Order governing	)	DOCKET NO. N2001.5.62
Nondocketed Filings, including its Annual Report	)	ORDER NO. 6348

PROTECTIVE ORDER

On May 25, 2001 Southern Montana Telephone Company (Southern) applied for a “generic protective order.” The Montana Public Service Commission (Commission) considers the application to have been filed pursuant to ARM 38.2.5004 of the Commission’s rules, and on that basis grants the application. This order governs access to certain types of information filed with the Commission as a result of Southern’s routine filings, annual reports, responses to inquiries, and other instances which normally remain outside a contested case proceeding. Specifically, this order covers cost information, such as cost studies filed in support of a tariff filing and information provided in response to schedules 23, 24 and 27 of the Commission annual report. Should the Commission discover that any of this information is publicly available, it will cease to be covered by this order.

Information submitted in accordance with this order will be treated as “confidential information” under the terms of the order and ARM 38.2.5001 – 5030. The Commission declines to issue a protective order in the form proposed at “Appendix 1 to Application of SMTC” to Southern’s application. This order shall be in effect for a period of four years from the service date, unless otherwise ordered by the Commission.

Done and dated this 5th day of June, 2001, by a vote of 5-0.

BY ORDER OF THE MONTANA PUBLIC SERVICE COMMISSION

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GARY FELAND, Chairman

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JAY STOVALL, Vice Chairman

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BOB ANDERSON, Commissioner

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MATT BRAINARD, Commissioner

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BOB ROWE, Commissioner

ATTEST:

Rhonda J. Simmons  
Commission Secretary

(SEAL)

NOTE:        There is no reconsideration of the granting of a protective order. There is a procedure to challenge the provider's claim of confidentiality. See ARM 38.2.5008. Reconsideration of a denial of a protective order is available in accordance with ARM 38.2.4806.

Montana Public Service Commission  
Protective Orders and Protection of Confidential Information

## **Nondisclosure Agreement**

(7-26-00)

ARM 38.2.5012

Docket No. N2001.5.62, Order No. 6348  
Order Action Date: June 5, 2001

I understand that in my capacity as counsel or expert witness for a party to this proceeding before the commission, or as a person otherwise lawfully so entitled, I may be called upon to access, review, and analyze information which is protected as confidential information. I have reviewed ARM 38.2.5001 through 38.2.5030 (commission rules applicable to protection of confidential information) and protective orders governing the protected information that I am entitled to receive. I fully understand, and agree to comply with and be bound by, the terms and conditions thereof. I will neither use nor disclose confidential information except for lawful purposes in accordance with the governing protective order and ARM 38.2.5001 through 38.2.5030 so long as such information remains protected.

I understand that this nondisclosure agreement may be copied and distributed to any person having an interest in it and that it may be retained at the offices of the provider, commission, consumer counsel, any party and may be further and freely distributed.

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Typed or Printed Name

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Signature

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Date of Signature

Business Address:

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Employer

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Party Represented

